

APR 3 2000

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

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2000 APR -3 P 2:37

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL: 99NF-24
DATE ACTIVATED: 3/17/00

EXPIRATION OF STATUTE OF
LIMITATIONS: July 15, 2003
STAFF MEMBER: Tony Buckley
Karen White

SOURCE: INTERNALLY GENERATED

RESPONDENTS: National Cotton Council Committee for the Advancement of Cotton
and William R. Tracy, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(i)
11 C.F.R. § 104.5(c)(1)(i)(A)

INTERNAL REPORTS CHECKED: Referral Materials
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division on November 5, 1999. The basis of the referral is the failure of the National Cotton Council Committee for the Advancement of Cotton and William R. Tracy, as treasurer, ("Respondents") to file timely their 1998 July Quarterly Report.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends that the Commission find reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(i).

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

In addition to recommending that the Commission find reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(i), this Office also recommends that the Commission offer to enter into conciliation with Respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement. Attachment 2.


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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the National Cotton Council Committee for the Advancement of Cotton and William R. Tracy, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), and enter into conciliation with Respondents prior to a finding of probable cause to believe.
3. Approve the attached proposed Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

3/31/00
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel **SCW**

DATE: April 3, 2000

SUBJECT: 99NF-24- First General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE ☒
NON-SENSITIVE ☐

72 Hour TALLY VOTE ☒

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

DISTRIBUTION

COMPLIANCE ☒

Open/Closed Letters ☐

MUR ☐

DSP ☐

STATUS SHEETS ☐

Enforcement ☐

Litigation ☐

PFESP ☐

RATING SHEETS ☐

AUDIT MATTERS ☐

LITIGATION ☐

ADVISORY OPINIONS ☐

REGULATIONS ☐

OTHER ☐

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